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11 Attorneys for Defendant
12 DAVID BRUCE McMAHAN

13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA

15 DELAWARE LIFE INSURANCE
16 COMPANY,

17 Plaintiff,

18 v.

19 JAY R. SCHUSTER, an individual;
20 DAVID BRUCE McMAHAN, an
21 individual; MOSHE CHAMISH, an
22 individual; ZVI CHAMISH, an
23 individual; WILLIAM DUNN, an
24 individual; LYNN WINTER
25 GROSS, an individual; and DOES 1
26 to 10, Inclusive,

27 Defendants.

CASE NO. 2:15-CV-01454 AB (AJWx)
Hon. André Birotte Jr.

[PROPOSED] AMENDED JUDGMENT

28 Defendant David Bruce McMahan (“McMahan”), having been granted summary judgment in his favor on plaintiff Delaware Life Insurance Company’s (“Delaware Life”) first cause of action for interpleader and second cause of action for declaratory relief as to the Delaware Life annuity purchased by defendant Jay R. Schuster (the “Schuster Annuity”), on Delaware Life’s third cause of action for declaratory relief as to the Delaware Life annuity purchased by now deceased Paul Chamish whose children, defendants Moshe Chamish and Zvi Chamish, now

1 appear in his stead (the “Chamish Annuity”);

2 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

3 1. McMahan is entitled to the proceeds of the Schuster Annuity up to the
4 amount of \$170,850 and to the proceeds of the Chamish Annuity up to the amount
5 of \$70,900.

6 2. Delaware Life has deposited with the Court the amount of \$159,273.30
7 (\$114,683.72, after Delaware Life paid itself the \$7,000 authorized by the Court for
8 Delaware Life’s attorneys’ fees and costs, as the proceeds of the Schuster Annuity
9 and the amount of \$44,589.58 as the proceeds of the Chamish Annuity).

10 3. The Clerk of Court shall disburse \$159,273.30 to McMahan from the
11 funds deposited with the Court by Delaware Life, without interest accrued from the
12 date of deposit by Delaware Life, as follows:

13 Check payable to David Bruce McMahan and delivered to
14 McMahan’s counsel of record, Jeffery J. Daar, Esq., Daar &
15 Newman, PLC, 21700 Oxnard Street, Suite 350, Woodland
16 Hills, CA 91367.

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19 DATED: December 1, 2016



20 HON. ANDRÉ BIROTTE JR.
21 UNITED STATES DISTRICT JUDGE

22 **CC: FISCAL**
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